

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMENDMENT NO. _____

Signature of Sponsor

AMEND Senate Bill No. 1640*

House Bill No. 1443

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 71-5-106, is amended by adding the following as a new subdivision (k):

(k) Effective January 1, 1998, or at an earlier date at the discretion of the commissioner of the department of health, if the actual enrollment of children under the age of eighteen (18) previously unable to enroll because they did not qualify for Medicaid or as uninsurable for the enrollment that began on April 1, 1997, has not reached seventy-five percent (75%) of anticipated enrollment level of fifty thousand (50,000) children, the commissioner of the department of health shall offer enrollment in the Title XIX waiver program (TennCare) to children under age eighteen (18) whose family income is below two hundred percent (200%) of the federal poverty level schedule in effect for calculation of TennCare premiums. Such offer of enrollment in the TennCare program shall be made in accordance with TennCare promulgated rules and regulations; provided, however, that no child who, by operation of this statute, is otherwise eligible for TennCare shall be denied medical assistance on the grounds that he or she has other insurance available, unless such child is in fact covered by other health insurance coverage; and provided further, this subsection shall not limit the authority vested in the commissioner of the department of health by subsection (j) to extend TennCare coverage to other medically needy individuals. It is the legislative intent that this section be implemented only to the extent that it is determined to be consistent with the terms, conditions and eligibility criteria of the TennCare waiver as approved by the United

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States department of health and human services and that state and federal funding is available for such purpose.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

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